

This document has been electronically entered in the records of the United States Bankruptcy Court for the Southern District of Ohio.

IT IS SO ORDERED.

Dated: July 22, 2023



Mina Nami Khorrami
Mina Nami Khorrami
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION AT COLUMBUS

In re:)	Case No. 22-51317
)	
JERICA SHERISE TURNER,)	Chapter 7
)	
Debtor.)	Judge Nami Khorrami
)	

ANDREW R. VARA)	Adv. Proc. Case No. 23-02031
)	
Plaintiff,)	
v.)	
)	
GENERAL TOWING AND STORAGE, LLC,)	
)	
Defendant)	

**STIPULATION AND AGREED ORDER RESOLVING
THE UNITED STATES TRUSTEE'S COMPLAINT FOR INJUNCTIVE,
MONETARY, AND OTHER RELIEF (AP Docket No. 1)**

This case came on for consideration upon agreement of the Parties. The United States Trustee ("U.S. Trustee") is represented by Pamela Arndt, and General Towing and Storage, LLC is represented by Steve R. Freeman.

The Parties enter into the following Stipulations:

1. Jerica Sherise Turner (“Turner” or “Debtor”) filed a Voluntary Petition under Chapter 7 of the Bankruptcy Code on May 9, 2022 (Docket No. 1);
2. Debtor’s Discharge was granted on August 22, 2022 (Docket No. 25), and the case closed September 7, 2022 (Virtual Entry);
3. Upon learning of a potential issue with Defendant General Towing & Storage, LLC (“General Towing” or “Defendant”), the U.S. Trustee filed a Motion to reopen the case (Docket No. 27) which was granted on December 27, 2022 (Docket No. 29);
4. The U.S. Trustee commenced this Adversary Proceeding on May 25, 2023 (Docket No. 31; AP Docket No. 1). Defendant was served with a copy of the Summons and Complaint (AP Docket Nos. 2 and 3). Defendant communicated informally with the U.S. Trustee in lieu of filing an Answer;
5. The Parties agree that Defendant violated the automatic stay imposed by 11 U.S.C. §362 by soliciting Debtor to turn possession over of a 2013 Chevrolet Traverse with a Fair Market Value of \$8,225 (“Collateral;” *see*, Docket No. 1, Schedule A/B, ¶3) to Defendant. Defendant further violated the automatic stay imposed by 11 U.S.C. §362 by taking possession the Collateral;
6. The Parties agree that Defendant is permanently enjoined in the Southern District of Ohio from doing the following without relief from the automatic stay: sending letters to debtors; taking possession of property of bankruptcy estates; taking actions to create and perfect liens on property of bankruptcy estates, and towing and storing property of bankruptcy estates; and
7. The Parties agree that within 14 days of entry of this Order, Defendant shall forward the sum of \$8,225 to Credit Acceptance Corporation, the Secured Creditor of the Collateral. The funds shall be made payable to Credit Acceptance Corporation, and mailed to Credit Acceptance Corporation, Attn: Butch Haesche, Senior Bankruptcy Manager, 25505 West Twelve Mile Road, Southfield, MI 48034.

In light of the Stipulations, the Court finds this Agreed Order Resolving the U.S. Trustee’s Complaint well taken.

Good cause appearing, therefore:

IT IS HEREBY ORDERED that General Towing and Storage, LLC, whether directly, indirectly, or through any successors or assigns, is permanently enjoined in the Southern District of Ohio from doing the following without relief from the automatic stay: sending letters to debtors; taking possession of property of bankruptcy estates; taking actions to create and perfect liens on property of bankruptcy estates, and towing and storing property of bankruptcy estates.

IT IS FURTHER ORDERED that within 14 days from entry of this Order, General Towing and Storage, LLC shall forward the sum of \$8,225 to Credit Acceptance Corporation, the Secured Creditor of the Collateral. The funds shall be made payable to Credit Acceptance Corporation, and mailed to Credit Acceptance Corporation, Attn: Butch Haesche, Senior Bankruptcy Manager, 25505 West Twelve Mile Road, Southfield, MI 48034, without asserting any additional charges.

IT IS FURTHER ORDERED that within 21 days from entry of this Order, General Towing and Storage, LLC shall file a Report to Court with evidence of compliance with this Order.

IT IS FURTHER ORDERED that the Court retains jurisdiction of this matter in the event General Towing and Storage, LLC does not fully comply with this Order.

IT IS FURTHER ORDERED that each party shall bear their own costs.

IT IS SO ORDERED.

AGREED TO AND SUBMITTED BY:
Andrew R. Vara
United States Trustee for Regions 3 and 9

/s/ Pamela Arndt
Pamela Arndt (0068230)
U.S. Department of Justice, U.S. Trustee Program
170 North High Street, Suite 200
Columbus, OH 43215
Telephone: (614) 469-7415
Facsimile: (614) 469-7448
E-mail: Pamela.D.Arndt@usdoj.gov
Attorney for the United States Trustee

/s/ Steve R. Freeman – permission for electronic signature granted via email 7/18/23

Steve R. Freeman (MD: AIS#8212010138)

Freeman Associates, LLC

PNC Bank Building

409 Washington Avenue, Suite 200

Towson, MD 21204

Telephone: (410) 842-6600

E-mail: srf@freemanlaw.us

Attorney for General Towing and Storage, LLC

/s/ James A. Coutinho – permission for electronic signature granted via email 7/11/23

James A. Coutinho (0082430)

Allen Stovall Neuman & Ashton LLP

10 West Broad Street, Suite 2400

Columbus, OH 43215

Telephone: (614) 221-8500

Facsimile: (614) 221-5988

Email: coutinho@asnalaw.com

Chapter 7 Panel Trustee

/s/ James Mackey – permission for electronic signature granted via email 7/18/23

James Mackey (0096715)

The Legal Aid Society of Columbus

1108 City Park Avenue

Columbus, OH 43206

Telephone: (614) 737-0136

Email: jmackey@columbuslegalaid.org

Attorney for Debtor

/s/ Cynthia A. Jeffrey – permission for electronic signature granted via email 7/18/23

Cynthia A. Jeffrey (0062718)

Keith D. Weiner & Associates Co., L.P.A.

The Oswald Center

1100 Superior Avenue East, Suite 1100

Cleveland, Ohio 44114

Telephone: (216) 771-6500 ext. 111

Cellular: (440) 759-7677

Email: cjeffrey@weinerlaw.com

Attorney for Secured Creditor, Credit Acceptance Corporation

COPIES TO:

Pamela Arndt, Esq.

Steve R. Freeman, Esq.
Freeman Associates, LLC
PNC Bank Building
409 Washington Avenue, Suite 200
Towson, MD 21204

James A. Coutinho, Esq.
Allen Stovall Neuman & Ashton LLP
10 West Broad Street, Suite 2400
Columbus, OH 43215

James Mackey, Esq.
The Legal Aid Society of Columbus
1108 City Park Avenue
Columbus, OH 43206

Cynthia A. Jeffrey, Esq.
Keith D. Weiner & Associates Co., L.P.A.
The Oswald Center
1100 Superior Avenue East, Suite 1100
Cleveland, Ohio 44114

General Towing and Storage, LLC
4444D Solomon's Island Road
Harwood, MD 20776

Vara,
Plaintiff
General Towing and Storage, LLC,
Defendant

Adv. Proc. No. 23-02031-mnk

CERTIFICATE OF NOTICE

District/off: 0648-2
Date Rcvd: Jul 24, 2023

User: ad
Form ID: pdf01

Page 1 of 2
Total Noticed: 6

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 26, 2023:

Recip ID	Recipient Name and Address
	+ Cynthia A. Jeffrey, Esq., Keith D. Weiner & Associates Co., L.P.A., The Oswald Center, 1100 Superior Avenue East, Suite 1100, Cleveland, OH 44114-2520
dft	+ General Towing and Storage, LLC, 4444D Solomon's Island Road, Harwood, MD 20776-9506
	+ James A. Coutinho, Esq., Allen Stovall Neuman & Ashton LLP, 10 West Broad Street, Suite 2400, Columbus, OH 43215-3469
	+ James Mackey, Esq, The Legal Aid Society of Columbus, 1108 City Park Avenue, Columbus, OH 43206-3583
	+ Steve R. Freeman, Esq, Freeman Associates, LLC, PNC Bank Building, 409 Washington Avenue, Suite 200, Towson, MD 21204-4914

TOTAL: 5

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
ust	+ Email/Text: ustpreion09.cb.ecf@usdoj.gov	Jul 24 2023 18:41:00	Asst US Trustee (Col), Office of the US Trustee, 170 North High Street, Suite 200, Columbus, OH 43215-2417

TOTAL: 1

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 26, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 24, 2023 at the address(es) listed below:

Name	Email Address
------	---------------

Pamela Arndt

on behalf of Plaintiff Andrew R Vara Pamela.D.Arndt@usdoj.gov

District/off: 0648-2

User: ad

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Date Rcvd: Jul 24, 2023

Form ID: pdf01

Total Noticed: 6

TOTAL: 1